

REMARKS

Reconsideration of the application in view of the above amendments and following remarks is respectfully requested. Claims 1, 2, 4-13, 15-17, 19-27 and 30-33 are now pending. Claims 32 and 33 have been amended.

Allowable Subject Matter

Claims 1, 2, 4-13, 15-17, 19-26, 30 and 31 stand allowed.

Rejections Under 35 U.S.C. §112

Claims 32 and 33 stand rejected under 35 U.S.C. §112, first paragraph, for lack of enablement. In particular, the Examiner states that “the specification, while being enabling for diagnosis [of] HRV infection of respiratory tract does not reasonably provide enablement for diagnosis of any or all picornavirus infections” (see 8/15/06 Office Action at page 2, third paragraph). While Applicants strongly disagree with the Examiner’s conclusion in this regard, claims 32 and 33 have been amended to specifically recite an agent for detecting rhinovirus infections in humans, and a method for the diagnosis of human rhinovirus infections, respectively.

In view of the above amendments, Applicants submit that claims 32 and 33 now stand in condition for allowance. Of course, it should be understood that these claims have been amended merely to expedite issuance of the allowed subject matter, and that these amendments are not (nor should they be construed as) acquiescence to this ground of rejection.

Conclusion

In view of the above amendments and remarks, Applicants request that claims 32 and 33 be passed to allowance, along with already allowed claims 1, 2, 4-13, 15-17, 19-27 and 30-31. A good faith effort has been made to place this application in condition for allowance. However, should any further issue require attention prior to allowance, the Examiner is requested to contact the undersigned at (206) 622-4900 to resolve the same.

Respectfully submitted,
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